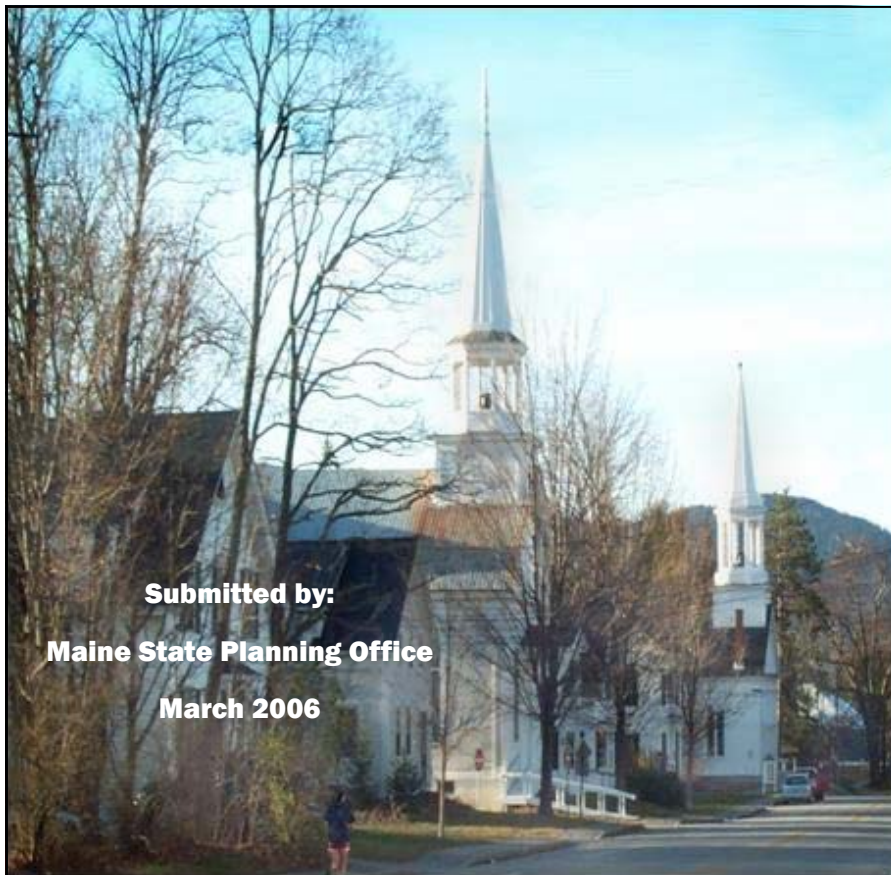


# An Evaluation of the Growth Management Act

**A Report to the Joint Standing Committee on Natural Resources  
In response to Resolve 2004, Chapter 73**



Bethel Village

## **A Vision for a New Approach to Land Use Planning in Maine**

The state, regions, and municipalities of Maine work together to sustain our natural environment, protect our unique quality of place, and continue to build our healthy economy. Planning at all levels is meaningful and results in the development that Maine people want. This vision will be achieved through a coordinated approach to planning that links state, regional, and local priorities.

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## The Task

Resolve 2004, chapter 73 directed the State Planning Office to review the Growth Management Act and related rules and procedures and to report to the Maine Legislature's Joint Standing Committee on Natural Resources.

The Resolve asked the Office to do two things:

1. Review and make recommendations that would improve the planning process; and
2. Review the Growth Management Act and make recommendations that would lead to more effective land use.

Since its 1988 enactment, the Growth Management Act has resulted in:

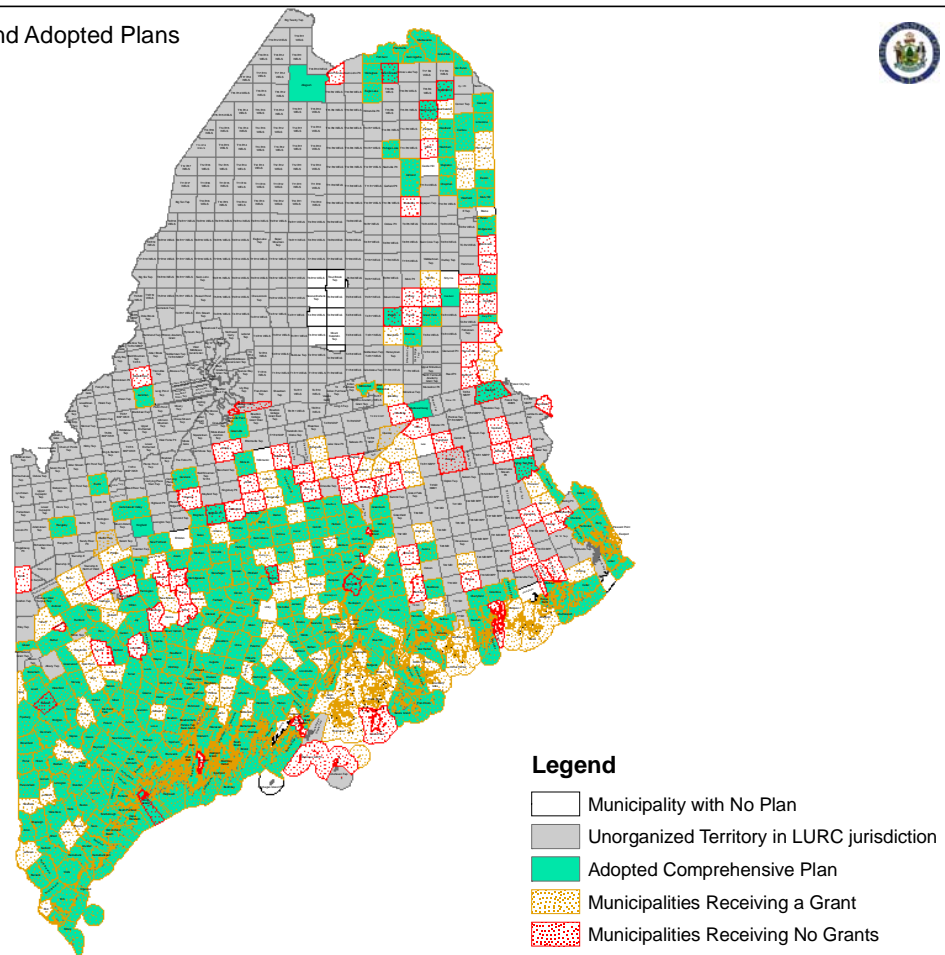
- 379 towns receiving state planning grants
- 250 towns with comprehensive plans

Seventeen years have passed since the enactment of the Growth Management Act. Times have changed. We have years of data and experience under our belts. Some experience has been positive, some negative. Now is a good time to look towards the next generation of land use planning in Maine.

*"We are one state  
and we share  
problems beyond  
local boundaries."*

*—Interview with local  
planner*

Maine Towns with Grants and Adopted Plans



For a full-size map or the full text of the State Planning Office's research, findings, and recommendations related to this evaluation, please visit our Web site at: [www.maine.gov/spo/landuse](http://www.maine.gov/spo/landuse)

## Research Methods

To prepare this report, the State Planning Office:

Held a 2-day summit in August at the University of Maine.

Open to the public, the summit was organized in a way that permitted attendees to establish the agenda. About 100 people—developers, environmental advocates, local officials, professional planners, regional planners, realtors, architects, legislators, state agency staff, and citizens—participated.

Conducted focus groups with 5 stakeholder sectors. Each sector—developers, environmental advocates, service center communities, fast-growing towns, and non-growing or rural towns—met for two hours under the direction of a professional re-

search firm and considered similar questions.

Conducted 20 in-depth interviews. A professional research firm interviewed professional planners representing all regions of Maine.

Met with and received comments from other interested parties.

The Intergovernmental Advisory Commission, Maine Municipal Association, regional planning agencies, state agencies, and others provided feedback. The Community Preservation Advisory Committee provided guidance and advice.

## Key Findings

From our research, we found:

1. Effective land use planning is essential to Maine's economic prosperity.

2. Maine people highly value less developed, rural landscapes.

3. There is clear support for land use planning at the community level.

4. There is widely-held dissatisfaction with the process for reviewing local comprehensive plans.

5. Some comprehensive planning requirements are seen as too prescriptive and others as too vague.

6. There is a strong desire for improved tools and assistance for local planning.

7. Comprehensive planning as currently practiced has not directed growth into locally-designated growth areas, as intended.

8. Implementation of comprehensive plans often does not achieve state or local goals.

9. In some areas, local planning, zoning, and appeals boards are overwhelmed by development review.

10. Most agree that affordable housing is a problem, but there is no consensus on what to do about it.

11. Property taxes and market forces are significant drivers in land use development.

12. State oversight is important to protect state investments.



Land Use Summit, Orono

13. The state must prioritize among matters of state and regional significance that affect local planning.

14. There is strong, statewide support for more emphasis on regional approaches to development.

15. There is a desire for regional planning approaches to large capital projects with regional impacts.

*"I feel the state should provide more training or assistance in developing [the comprehensive plan]..."*

*—A participant in the focus group of fast-growing towns*

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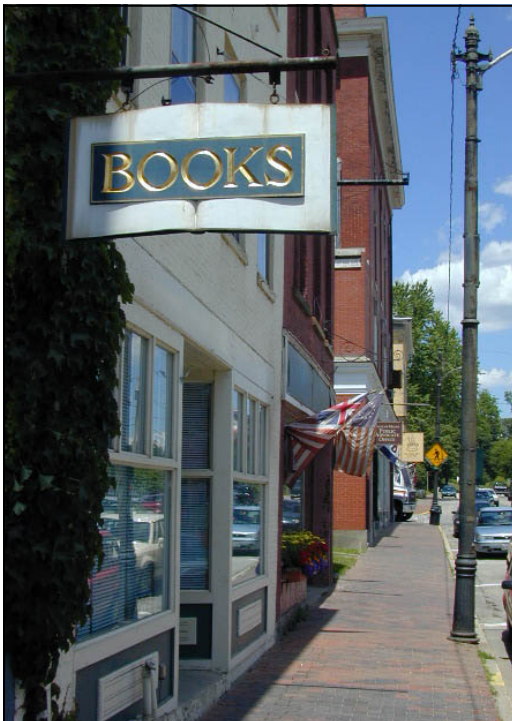
## Statewide Goals from the Growth Management Act

The Legislature established a set of state goals to provide overall direction and consistency to the planning and regulatory actions of all state and municipal agencies affecting natural resource management, land use, and development (30-A M.R.S.A. §4312 subsection 3). These goals are:

- A. To encourage orderly growth and development in appropriate areas of each community, while protecting the State's rural character, making efficient use of public services and preventing development sprawl;
- B. To plan for, finance and develop an efficient system of public facilities and services to accommodate anticipated growth and economic development;
- C. To promote an economic climate which increases job opportunities and overall economic well-being;
- D. To encourage and promote affordable, decent housing opportunities for all Maine citizens;
- E. To protect the quality and manage the quantity of the State's water resources, including lakes, aquifers, great ponds, estuaries, rivers and coastal areas;
- F. To protect the State's other critical natural resources, including without limitation, wetlands, wildlife and fisheries habitat, sand dunes, shorelands, scenic vistas and unique natural areas;
- G. To protect the State's marine resources industry, ports and harbors from incompatible development and to promote access to the shore for commercial fishermen and the public;
- H. To safeguard the State's agricultural and forest resources from development which threatens those resources;
- I. To preserve the State's historic and archeological resources; and
- J. To promote and protect the availability of outdoor recreation opportunities for all Maine citizens, including access to surface waters.

*"We have to figure out how to make the comprehensive planning process work more effectively, bring people together, and have it meaningful when it's implemented."*

*—A Selectman participant in the environmental focus group*



Downtown Hallowell

## Acknowledgements

The State Planning Office engaged over 200 Maine people in developing these findings and recommendations. We appreciate the time people took to participate in focus groups, interviews, and the summit and to provide comments. The six individuals on the State Planning Office's land use team contributed ideas, researched details, and developed proposals. The Community Preservation Advisory Committee met on three occasions to guide the process and offer advice. Many others supported our effort and we want all of them to know how much their contributions count.

The State Planning Office submits this report to the Joint Standing Committee on Natural Resources in accordance with Resolve 2004, chapter 73. This executive summary is an excerpt from the State Planning Office's full report. The full text of the report is available at [www.maine.gov/spo/landuse](http://www.maine.gov/spo/landuse).

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wann and Associates.



## Recommendations

### 1. Enhance Local Planning:

*(Addresses the directive to make recommendations that would improve the planning process)*

- A. Focus consistency review on Future Land Use chapters of comprehensive plans (SPO)
- B. Provide clear state policy guidelines for Future Land Use chapters (SPO)
- C. Provide towns and regional agencies with better tools, data, and assistance (SPO)
  - \*Provide regional data and analysis to towns
  - \*Give towns more assistance early in the process
  - \*Provide better tools and training to towns and regions
- D. Track growth and monitor progress (SPO)
  - \*Study the implementation of comprehensive plans
  - \*Conduct long-term monitoring

### 2. Shift State Focus to Issues of Regional and Statewide Significance

*(Addresses the directive to make recommendations that would lead to more land use more effective)*

- A. Improve state level planning and coordination of state investments (state agencies)
- B. Engage the public in two pilot regional development projects that include visions and goals and public discussion around (SPO):
  - \*Transportation
  - \*Housing
  - \*Economic Development
  - \*Natural Resource Protection
- C. Address how we review large capital projects with regional impacts (DEP, DOT, DECD, SPO)
- D. Create an affordable housing study group to develop next steps based on the 2003 CPAC report (MSHA)

## Conclusions

- Effective land use planning is important to Maine's economy and sense of place
- There has been much success on which to build; but we have come as far as we can under the laws and policies from the 1980s
- It's time for a new generation of land use planning in Maine

*"[Some towns] need to [plan] because of the amount of growth and development they're seeing... other communities need to do planning, but not to the same degree or extent..."*

*—A participant in the focus group of rural towns*



Lisbon Falls

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Lakeside Orchard, Manchester

*“We need [growth management] in that you have to have some reliable sense...that there are ground rules that we’re all going to play by...”*

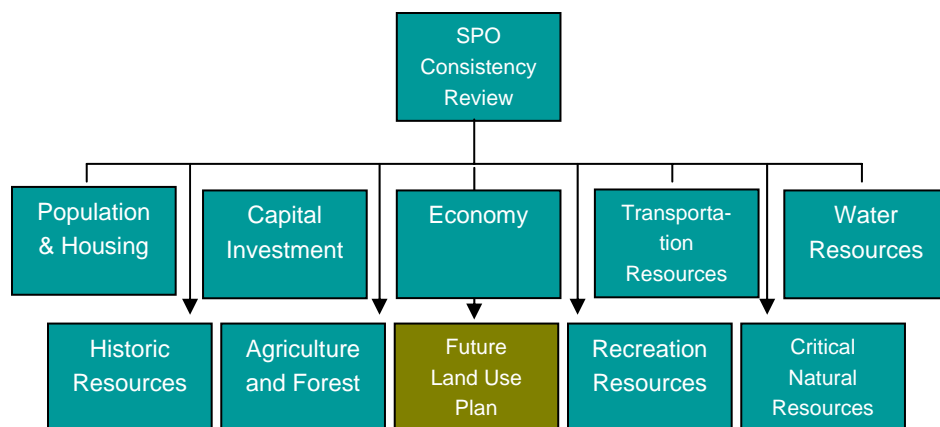
*—A participant in the developers’ focus group*



Traditional Neighborhood, Portland

## Current Review

Currently, the State Planning Office reviews 10 elements of local comprehensive plans against the Growth Management Act and finds them, in their entirety, consistent or inconsistent with the goals of the Act. These detailed plan reviews may not be the most effective use of state and local resources. However, some level of oversight of local plans is needed to protect state investments. The State spends \$400 million annually on local roads and schools, wastewater treatment, community development, land conservation, and other local infrastructure.



## Proposed Review

The State Planning Office proposes to reduce the required review to the Future Land Use Plan, which is one element of a comprehensive plan. In the Future Land Use Plan, a town describes how and where growth should occur and what strategies they will use to direct growth to these areas. This section is the culmination of the data, analyses, and other planning chapters in the plan.

